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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/992,767 12/17/97 YOKOYAMA

H NEC-19654

EXAMINER

MMC2/0601

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WILE, T

ART UNIT

PAPER NUMBER

2814

DATE MAILED:

06/01/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/992,767	Applicant(s) YOKOYAMA, HIROAKI	
	Examiner Douglas A Wille	Art Unit 2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 April 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 20) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11 – 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsoi et al. in view of Roberts et al., McDavid, Miller et al. and Kim et al.
3. With respect to claims 11, 13 and 17, Tsoi et al. show that for semiconductor devices it is necessary to form different sized vias for contacts (see cover Figure) but do not discuss coverage problems. Roberts et al. show the formation of metallized vias (see cover Figure and column 4, line 37 et seq.) where an upper metal layer is redeposited to form both a fluted upper area and a corner filling lower area where the corner filling is much less than half the thickness of the insulation layer. This technique provides improved step coverage (see abstract). The Roberts et al. technique depends upon having an upper metal layer which is redistributed into the corners of the via and is directed toward vias with a 2:1 aspect ratio (column 5, line 40). McDavid shows a technique of forming a metallization in a via (see cover Figure and column 2, line 18 et seq.) where the corner filling 13 is formed by anisotropically etching a preliminary metal layer. It would have been obvious to modify the Roberts et al. technique to form the corner filling using the McDavid method so that it is not necessary to maintain an upper metal layer and to apply this technique to Tsoi et al. to improve step coverage. Kim et al. show a method of forming metallization in a via (see cover Figure and column 4, line 8 et seq.) where the upper surface of

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the via is wider, which effectively reduces the aspect ratio (column 1, line 62). Note that Roberts et al. also show the fluted upper area of the via. It would have been obvious to specifically include this feature to reduce the aspect ratio and thus improve coverage. While Tsoi et al. do not specify the aspect ratio of the vias it would be expected that, in practice, it would be desirable to form vias without concern for the aspect ratio. Miller et al. show the formation of a metallized via (see cover Figure and column 5, line 22) for high aspect ratio holes (column 2, line 43). It would have been obvious to use the method shown above for the low aspect ratio holes and to use the Miller et al. technique for the high aspect ratio holes and to use the fluted upper area of the hole as shown by Kim et al. for all the holes.

4. With respect to claims 14, 15, 18 and 19 Roberts et al. show that the corner filling is a small fraction of the thickness of the insulation layer and could obviously accommodate any particular ratio that is desired.

5. With respect to claims 12 and 16, McDavid shows that the metal could be Mo or W (column 2, line 36). It would have been obvious to use a refractory metal as shown since it is known to be functional for this application.

6. With respect to claims 20 – 28, see the above rejection and note that in the formation of both large and small aspect ratio vias, it would be obvious to cease deposition of the refractory material when the high aspect ratio hole is filled to avoid producing a hump in the deposition and this would leave the small aspect ratio via with a refractory liner that is half the diameter of the other via. Note that upon formation of the lining for the low aspect ratio via, the anisotropic etch would leave the width of the metallization unchanged at the bottom of the via.

Response to Arguments

7. Applicant's arguments filed 4/17/01 have been fully considered but they are not persuasive.
8. Applicant argues that the claimed device is not shown by the quoted prior art but as shown above, it is shown. Applicant states that Kim et al. teach against constant diameter holes but note that Kim et al. show the prior art as having constant diameter holes but Kim et al. are only used to show the use of the tapering of the upper part. Thus the rest of Kim et al., which is associated with the particular formation technique shown, is not relied upon.

Conclusions

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas A Wille whose telephone number is (703) 308-4949. The examiner can normally be reached on M-F (6:15-3:45).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on (703) 306-2794. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

DAW
DAW
May 29, 2001


Olik Chaudhuri
Supervisory Patent Examiner
Technology Center 2800